



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott *et al.*

Appl. No. 10/020,498

Filed: December 18, 2001

For: **Palm Scanner Using a
Programmable Nutating Mirror
for Increased Resolution**

Confirmation No. 8710

Art Unit: 2625

Examiner: Yon Couso

Atty. Docket: 1823.0340001

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Information Disclosure Statement

MAR 17 2003

Technology Center 2600

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97((b)). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - c. Attached is our PTO-2038 Credit Card Payment Form [OR] Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the

foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

- 6. A concise explanation of the relevance of the non-English language documents AN2, AO2, AP2, AL3, and AM3 appears below:

Document AN2 (JP 1-205392) appears to describe a finger picture input device. An abstract of document AN2 is enclosed as document AS2 on the attached PTO-1449.

Document AO2 (JP 3-161884) appears to describe a finger image input device. An English-language abstract of document AO2 is enclosed as document AT2 on the attached PTO-1449.

Document AP2 (JP 3-194674) appears to describe a finger image input device. An English-language abstract of document AP2 is enclosed as document AR3 on the attached PTO-1449.

Document AL3 (JP 3-194675) appears to describe a finger image input device. An English-language abstract of document AL3 is enclosed as document AS3 on the attached PTO-1449.

Document AM3 (JP 62-212892) appears to describe a finger print pattern input device. An English-language abstract of document AM3 is enclosed as document AT3 on the attached PTO-1449.

- 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 3/14/2003

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*Admitted only in Maryland
•Admitted only in Virginia
♦Practice Limited to Federal Agencies

March 14, 2003

Commissioner for Patents
Washington, D.C. 20231

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RECEIVED INTERNET ADDRESS:
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MAR 17 2003

Technology Center 2600 Art Unit 2625

Re: U.S. Utility Patent Application
Appl. No. 10/020,498; Filed: December 18, 2001
For: **Palm Scanner Using A Programmable Nutating Mirror for Increased Resolution**
Inventors: Scott *et al.*
Our Ref: 1823.0340001/MVM/LMY

Sir:

Transmitted herewith for appropriate action are the following documents:

1. SKGF Cover Letter;
2. Information Disclosure Statement;
3. Form PTO-1449 (4 pages) listing the cited documents;
4. Copies of fifty-nine (59) cited documents; and
5. A return postcard.

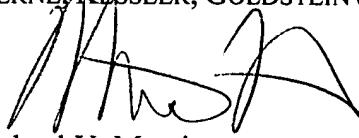
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
March 14, 2003
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michael V. Messinger
Attorney for Applicants
Registration No. 37,575

Enclosures

::ODMA\MHODMA\SKGF_DC1\111814;1
SKGF Rev. 2/15/02 dcw



FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1823.0340001	APPLICATION NO. 10/020,498
		APPLICANT Scott et al.	
		FILING DATE December 18, 2001	GROUP 2625

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	3,699,519	10/1972	Campbell			
	AB1	4,152,056	05/1979	Fowler			
	AC1	4,210,899	07/1980	Swonger et al.			
	AD1	4,253,086	02/1981	Szwarcbier			
	AE1	4,811,414	03/1989	Fishbine et al.			
	AF1	4,905,293	02/1990	Asai et al.			
	AG1	5,157,497	10/1992	Topper et al.			
	AH1	5,185,673	02/1993	Sobol			
	AI1	5,253,085	10/1993	Maruco et al.			
	AJ1	5,285,293	02/1994	Webb et al.			
	AK1	5,448,649	09/1995	Chen et al.			

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	2 089 545	06/1982	Great Britain	G06K	9/20	Yes No
	AM1	2 313 441	11/1997	Great Britain	G06K	7/10	Yes No
	AN1	0 653 882 B1	01/2000	Europe	H04N	5/217	Yes No
	AO1	0 785 750 B1	06/1999	Europe	A61B	5/117	Yes No
	AP1	0 889 432 A2	01/1999	Europe	G06K	9/00	Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Roethenbaugh, G., <i>Biometrics Explained</i> , International Computer Security Association, ICSA, Inc., 1998, pages 1-34.
AS	1	IBM Technical Disclosure Bulletin, IBM Corp., October 1986, Vol. 29, No. 5, pages 1-3.
AT	1	LS 1 LiveScan Booking Workstation High Performance Finger & Palm Scanning System, HEIMANN Rheinmentall Elektronik [online], retrieved June 4, 1998. Retrieved from the Internet: <URL: http://www.hbs-jena.com/ls1.htm >, 6 pages.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 1823.0340001		APPLICATION NO. 10/020,498	
		APPLICANT Scott et al.			
		FILING DATE December 18, 2001		GROUP 2625	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	5,471,240	11/1995	Prager et al.			
	AB2	5,483,601	01/1996	Faulkner			
	AC2	5,528,355	06/1996	Maase et al.			
	AD2	5,548,394	08/1996	Giles et al.			
	AE2	5,625,448	04/1997	Ranalli et al.			RECEIVED
	AF2	5,650,842	07/1997	Maase et al.			MAR 17 2003
	AG2	5,680,205	10/1997	Borza			
	AH2	5,748,768	05/1998	Sivers et al.			Technology Center 2600
	AI2	5,767,989	06/1998	Sakaguchi			
	AJ2	5,809,172	09/1998	Melen			
	AK2	5,855,433	01/1999	Velho et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 96/17480	06/1996	PCT	H04N	13/93	Yes No
	AM2	WO 99/12123	03/1999	PCT	G06K	9/00	Yes No
	AN2	1-205392	08/1989	Japan	G06K	9/00	Yes No
	AO2	3-161884	07/1991	Japan	G06K	9/00	Yes No
	AP2	3-194674	08/1991	Japan	G06K	9/00	Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

<input checked="" type="checkbox"/>	AR	2	TouchPrint™ 600 Palm Scanner, Identix [online], retrieved November 17, 1999. Retrieved from the Internet:<URL: http://www.identix.com/products/palmscan.htm , 3 pages.
	AS	2	English-language Abstract of Japanese Patent Publication No. 01-205392, from http://www1.ipdl.jpo.go.jp , 1 Page (August 17, 1989 - Date of publication of application).
	AT	2	English-language Abstract of Japanese Patent Publication No. 03-161884, from http://www1.ipdl.jpo.go.jp , 2 Pages (July 11, 1991 - Date of publication of application).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	



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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	5,892,599	04/1999	Bahuguna			
	AB3	5,942,761	08/1999	Tuli			
	AC3	5,974,162	10/1999	Metz et al.			
	AD3	5,991,467	11/1999	Kamiko			
	AE3	6,038,332	03/2000	Fishbine et al.			
	AF3	6,064,398	05/2000	Ellenby et al.			
	AG3	6,064,753	05/2000	Bolle et al.			
	AH3	6,072,891	06/2000	Hamid et al.			
	AI3	6,122,394	09/2000	Neukermans et al.			
	AJ3	6,144,408	11/2000	MacLean			
	AK3	6,178,255 B1	01/2001	Scott et al.			04/28/1998

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3	3-194675	08/1991	Japan	G06K	9/00	Yes No
	AM3	62-212892	09/1987	Japan	G06K	9/20	Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

<input checked="" type="checkbox"/>	AR	3	English-language Abstract of Japanese Patent Publication No. 03-194674, from http://www1.ipdl.jpo.go.jp , 2 Pages (August 26, 1991 - Date of publication of application).
<input checked="" type="checkbox"/>	AS	3	English-language Abstract of Japanese Patent Publication No. 03-194675, from http://www1.ipdl.jpo.go.jp , 2 Pages (August 26, 1991 - Date of publication of application).
<input checked="" type="checkbox"/>	AT	3	English-language Abstract of Japanese Patent Publication No. 62-212892, from http://www1.ipdl.jpo.go.jp , 1 Page (September 18, 1987 - Date of publication of application).

EXAMINER	DATE CONSIDERED
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		APPLICANT Scott et al.	
		FILING DATE December 18, 2001	GROUP 2625

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA4	6,259,108 B1	07/2001	Antonelli et al.			10/09/1998
	AB4	6,281,931 B1	08/2001	Tsao et al.			11/04/1997
	AC4	6,327,047 B1	12/2001	Motamed			01/22/1999
	AD4	6,347,163 B2	02/2002	Roustaei			05/19/1995
	AE4						
	AF4						
	AG4						
	AH4						
	AI4						
	AJ4						
	AK4						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

✓	AR	4	English-language Abstract of Japanese Patent Publication No. 10079017, 1 Page (March 24, 1998 - Date of publication of application).
	AS	4	
	AT	4	

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.